

Ann E. Goode
Director, Office of Civil Rights
United States Environmental Protections Agency
Washington, D.C. 20460

August 15, 2000

Dear Ms. Goode:

Thank you for the opportunity to comment on the recently released *Draft Title VI Guidance for EPA Assistance Recipients Administering Environmental Programs* ("Recipient Guidance") and *Draft Revised Guidance for Investigating Title VI Administrative Complaints Challenging Permits* ("Investigation Guidance"). These guidance documents were recently discussed at the ECOS annual meeting in Alaska. We endorse the ECOS comments that emerged from that discussion.

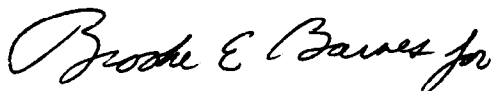
Our comments in this letter speak to the broader goal of Title VI: to prevent actions that directly or effectively discriminate based on race, color or national origin. We wholeheartedly embrace that goal. We believe that these guidance documents are the opportunity for a valuable framework for identifying and relieving discrimination. Whether that opportunity is realized will depend less on further wrangling over the words of the documents, and more on how the guidance documents are implemented. If they are applied objectively, if the flexibility they espouse is honored, then the promise of furthering Title VI will be realized. However, if they are applied in an adversarial manner, if they are not treated as "living" guidance documents, then we will spend our energy on legal and political battles. We urge you to move quickly to resolve the pending Title VI complaints so the angst and word-smithing debates end, and the results begin.

In the course of moving these guidance documents from theory to practice, we urge you to be more inclusive of the Regions. The guidance does make passing reference to involving regional resources as necessary. The Regions are keenly aware of the particular issues and needs of the states they include. Through joint planning efforts like the Performance Partnership Agreements and day to day program administration, they have critical knowledge of both the environmental and social aspects of their states. If implementing Title VI is to be accepted and valuable, it must be done in a way that acknowledges and reflects the diversity of this country. Administering the Title VI program and investigating complaints from the confines of Washington, D.C. will be a recipe for failure.

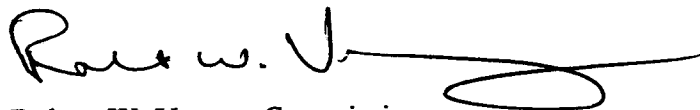
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We are fortunate in EPA-New England to share not only a healthy relationship with EPA, but also a healthy relationship among ourselves, as evidenced by our joint submission of these comments. While we have our disagreements with EPA, we have developed a climate of communication and collaborative problem solving that allows us to focus on solutions. We look forward to embracing Title VI in that same spirit.

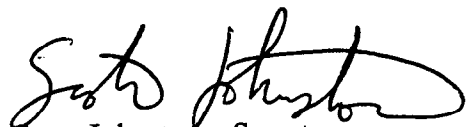
Sincerely,



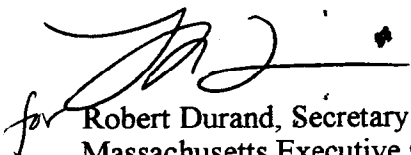
Martha G. Kirkpatrick, Commissioner
Maine Department of Environmental Protection



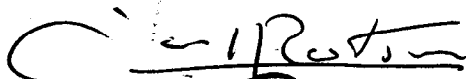
Robert W. Varney, Commissioner
New Hampshire Department of Environmental Services



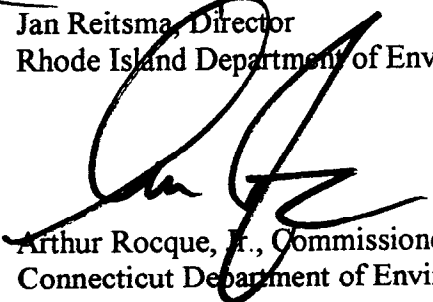
Scott Johnstone, Secretary
Vermont Agency of Natural Resources



for Robert Durand, Secretary
Massachusetts Executive Office of Environmental Affairs



Jan Reitsma, Director
Rhode Island Department of Environmental Management



Arthur Rocque, Jr., Commissioner
Connecticut Department of Environmental Protection